

**IN THE STATE COURT OF CLAYTON COUNTY
STATE OF GEORGIA**

Tiki Brown
Tiki Brown
Clerk of State Court
Clayton County, Georgia
Danielle Coleman

CHRISTIAN SANCHEZ,)
Individually and as the Father of)
ISABELLA SANCHEZ and)
JULIANA REUM, the minor children)
of SARAH ELIZABETH REUM,)
deceased, and STACEY JENKINS)
and RICKY REUM, Administrators)
of the Estate of SARAH ELIZABETH)
REUM, their deceased daughter,)
)
Plaintiffs,)
)
v.)
)
U.S. HEALTHVEST, LLC,)
VEST MONROE LLC D/B/A)
RIDGEVIEW INSTITUTE-)
MONROE, RV BEHAVIORAL, LLC,)
HEIDI HILLERY, EVELYN)
JOSEPH, TRACIE ANDREWS,)
STACIE EDMONDSON, YVELAIRE)
MASSENA and JANE DOES 1-5, and)
JOHN DOES 1-5)
)
Defendants.)

CIVIL ACTION NO.: 2019CV00890

JURY TRIAL DEMANDED

COMPLAINT FOR DAMAGES

Christian Sanchez, Individually and as father of Isabella Sanchez and Juliana Reum, minor children of Sarah Elizabeth Reum, Deceased, and Stacey Jenkins and Ricky Reum, Administrators of the Estate of Sarah Elizabeth Reum, their deceased daughter (“Plaintiffs”), Plaintiffs in the above-captioned matter, hereby bring this Complaint for Damages by showing this Honorable Court as follows:

PARTIES, VENUE AND JURISDICTION

1.

Christian Sanchez is the surviving father of Isabella Sanchez and Juliana Reum, the minor children of Sarah Elizabeth Reum, deceased.

2.

Christian Sanchez is the proper person to assert this wrongful death action for which all of the children are statutorily entitled to share in any recovery.

3.

As the Court Appointed Administrators of the Estate of Sarah Elizabeth Reum, Stacey Jenkins and Ricky Reum are proper parties to bring Estate-based claims related to the death of Sarah Elizabeth Reum.

4.

Plaintiffs submit to the jurisdiction and venue of this Court.

5.

Defendant U.S. HealthVest LLC (hereinafter referred to as "U.S. HealthVest") is a business entity, organized and existing pursuant to the laws of the State of Delaware, with its principal office located at 32 East 57th Street, 17th Floor, New York, New York 10022.

6.

Defendant U.S. HealthVest may be served with summons and complaint by serving its President and Chief Executive Officer, Dr. Richard A. Kresch, 32 East 57th Street, 17th Floor, New York, New York 10022.

7.

At all times material Defendant U.S. HealthVest transacted business in the State of Georgia.

8.

Defendant U.S. HealthVest is subject to both the jurisdiction and venue of this Court pursuant to the provisions of the Georgia Long Arm Statute, O.C.G.A § 9-10-91 (1)(2) and (4).

9.

Defendant Vest Monroe LLC d/b/a Ridgeview Institute-Monroe (hereinafter referred to as "Ridgeview") is a business entity organized and existing pursuant to the laws of the State of Delaware, with its principal office located at 32 East 57th Street, 17th Floor, New York, New York 10022.

10.

Defendant Ridgeview may be served with summons and complaint by serving its registered agent for service, Registered Agent Solutions, Inc., 906 Old Roswell Lakes Parkway, Suite 310, Roswell, Fulton County, Georgia 30076.

11.

At all times material, Defendant Ridgeview transacted business in the State of Georgia.

12.

Defendant Ridgeview is subject to both the jurisdiction and venue of this Court pursuant to the Georgia Long Arm Statute, O.C.G.A. § 9-10-91(1)(2) and (4).

13.

Defendant RV Behavioral LLC (hereinafter referred to as “RV Behavioral”) is a business entity, organized and existing pursuant to the laws of the State of Delaware with its principal office located at 32 East 57th Street, 17th Floor, New York, New York 10022.

14.

Defendant RV Behavioral may be served with summons and complaint by serving its registered agent for service, Registered Agent Solutions, Inc. 900 Old Roswell Lakes Parkway, Suite 310, Roswell, Fulton County, Georgia 30076.

15.

At all times material, Defendant RV Behavioral transacted business in the State of Georgia.

16.

Defendant RV Behavioral is subject to both the jurisdiction and venue of this Court pursuant to the Georgia Long Arm Statute O.C.G.A § 9-10-91(1)(2) and (4).

17.

Defendant Heidi Hillery (hereinafter referred to as “Hillery”) is a resident of Walton County, Georgia and may be personally served with summons and process by serving her at her residence at 802 Thompson Ridge Drive, Monroe, Georgia 30655-8536.

18.

Defendant Hillery is subject to both the jurisdiction and venue of this Court.

19.

Defendant Evelyn Joseph (hereinafter referred to as "Joseph" is a resident of Bartow County, Georgia and may be personally served with summons and process by serving her at her residence at 29 Autumn Ridge Drive, Kingston, Georgia 30145.

20.

Defendant Joseph is subject to both the jurisdiction and venue of this Court.

21.

Defendant Tracie Andrews (hereinafter referred to as "Andrews") is a resident of the state of Georgia and may be served by serving her with summons and complaint at her residence.

22.

Defendant Andrews is subject to both the jurisdiction and venue of this Court.

23.

Defendant Stacie Edmondson (hereinafter referred to as "Edmondson") is a resident of the state of Georgia and may be served with summons and complaint by serving her at her residence.

24.

Defendant Edmondson is subject to both the jurisdiction and venue of this Court.

25.

Defendant Yvelaire Massena (hereinafter referred to as "Massena") is a resident of Clayton County, Georgia and may be served by serving him with summons and complaint at her residence at 947 Salisbury Trail, Riverdale, Clayton County, Georgia 30296.

26.

Defendant Massena is subject to both the jurisdiction and venue of this Court.

27.

Defendants Jane Does 1-5 are unknown Georgia residents who were employed by Defendants U.S. HealthVest, Vest Monroe and RV Behavioral at the Defendants' Ridgeview Monroe facility on January 20, 2018.

28.

Defendants Jane Does 1-5 are subject to both the jurisdiction and venue of this Court.

29.

Defendants John Does 1-5 are unknown Georgia residents who were employed by Defendants U.S. HealthVest, Vest Monroe and RV Behavioral at the Defendants' Ridgeview Monroe facility on January 20, 2018.

30.

Defendants John Does 1-5 are subject to both the jurisdiction and venue of this Court.

31.

At all times pertinent hereto, including, but not limited, to January 20, 2018, Defendant U.S. HealthVest owned, operated and managed the Ridgeview Psychiatric Institute located at 709 Breedlove Drive, Monroe, Walton County, Georgia 30655.

32.

At all times pertinent hereto, including, but not limited, to January 20, 2018, Defendants Vest Monroe and RV Behavioral were wholly owned subsidiaries of U.S. HealthVest. As such, US. HealthVest is vicariously liable for the acts of negligence, failures, malpractice, violations of

policies or other wrongful acts that result in harm to others caused or committed by employees, agents, or representatives of Defendants Vest Monroe and RV Behavioral.

33.

At all times pertinent, including but not limited to, January 20, 2018, Defendants U.S. HealthVest, Vest Monroe and RV Behavioral held themselves out to the general community as being fully capable and competent of providing medical and psychiatric treatment, care and services to patients with the history, background, symptoms and condition of Sarah Elizabeth Reum.

34.

At all pertinent times hereto, Defendants U.S. HealthVest, Vest Monroe and RV Behavioral held themselves out to the public as being leading providers of inpatient behavioral health care services in the United States through physician-led multi-disciplinary treatments that address the overall medical, psychiatric, social and academic needs of their patients.

35.

At all times pertinent hereto, including, but not limited to, January 20, 2018, Defendants Hillery, Joseph, Andrews, Edmondson, Massena, John Does 1-5 and Jane Does 1-5, were actual and/or ostensible agents, servants and/or employees of Defendants U.S. HealthVest, Ridgeview and RV Behavioral. Defendants U.S. HealthVest, Ridgeview, and RV Behavioral are vicariously liable for any and all acts of negligence, failures to act, violations of laws, policies or other wrongful conduct by any of the Defendants identified herein as well as of any other employee, agent, servant and/or employee not specifically named or identified in this Complaint.

36.

At all times pertinent, including, but not limited to, January 20, 2018, Defendants Hillery, Joseph, Andrews, Edmondson, Massena, John Does 1-5, Jane Does 1-5, and any other agent, servant and/or employee not specifically named or identified in this Complaint, were acting within the course and scope of their employment with Defendant U.S. HealthVest, Ridgeview and RV Behavioral.

37.

Defendants U.S. HealthVest, Ridgeview and RV Behavioral are liable to the Plaintiffs for the negligent acts and omissions of Defendants Hillery, Joseph, Andrews, Edmondson, Massena, John Does 1-5 and Jane Does 1-5, and any and all of their employees resulting in the wrongful death of Sarah Elizabeth Reum on January 20, 2018, under principles of agency, imputed vicarious liability, and respondeat superior.

38.

At all times pertinent hereto, each of the Defendants enjoyed a medical treater-patient relationship with Sarah Elizabeth Reum and/or undertook to render medical treatment or care to Sarah Elizabeth Reum, acting individually or as actual and/or ostensible agents, servants and employees.

FACTUAL ALLEGATIONS AND THE DEFENDANTS' NEGLIGENCE

39.

The allegations contained in Paragraphs 1-38 of Plaintiffs' Complaint are hereby incorporated by reference and made a part hereof, as if each such allegation was fully set forth herein.

40.

On January 11, 2018, Sarah Elizabeth Reum, age 22 was transferred from Gwinnett Hospital in Gainesville, Georgia and involuntarily admitted to the Defendants' Ridgeview Institute-Monroe psychiatric facility as an inpatient pursuant to a 1013 order in accordance with O.C.G.A § 37-3-41.

41.

The January 11, 2018 1013 order issued for Sarah Elizabeth Reum indicated that she presented a substantial risk of imminent harm to herself or to others as manifested by recent overt acts of recent expressed threats of violence which presented a probability of physical injury to herself or others.

42.

Sarah Elizabeth Reum's mental health history indicated diagnoses of major depressive disorder, bipolar disorder, schizophrenia, and substance abuse.

43.

The Admissions Orders at Defendants Ridgeview Institute-Monroe for Sarah Elizabeth Reum on January 11, 2018 indicated the following precautions:

- Suicide
- Close Observation/15 minutes
- Psychosocial Assessment by Social Services
- Medications:

Geodon 10 mg 1mg 8 hours

Ativan .5 mg

Trazadone 50 mg PO

Clonidine .1 mg PO 4 hours

Zofran: 4 mg PO 8 hours

44.

On January 12, 2018, the day after Sarah Reum was admitted to Ridgeview-Monroe, a suicide risk assessment was conducted by the Ridgeview staff.

45.

The Suicide Risk Assessment of Sarah Reum indicated the following:

- History of suicide attempts
- History of PTSD
- Multiple admissions to psychiatric facilities
- Severe financial difficulties
- Impulsivity
- Alcohol or heavy drug use
- Organized suicidal plan with lethal intent
- Endorsing hopelessness
- Endorsing helplessness

46.

In addition, the Suicide Risk Assessment of Sarah Reum indicated the following:

- Positive Support System
- Sense of Responsibility to Live for Family
- Patient able to state reason(s) for living

47.

After the Suicide Risk Assessment of Sarah Reum was conducted by the staff at Ridgeview-Monroe, a level of care determination was made that Sarah Reum's behavior was life threatening, destructive or disabling to herself or to others.

48.

A Master Treatment Plan for Sarah Reum was developed by the staff at Defendant Ridgeview Institute-Monroe.

49.

This Master Treatment Plan for Sarah Reum consisted of the following:

- Place Sarah Reum on suicide precaution to prevent self-harm/suicidal behavior per physician's order
- Observation rounds of Sarah shall occur every 15 minutes

50.

On January 13, 2018, Sarah Reum was placed into seclusion due to her hitting her head and attempting to hit Ridgeview staff.

51.

As of January 18, 2018, as part of the patient staffing and interdisciplinary treatment plan review/update, it was determined by the staff at Ridgeview Institute-Monroe that Sarah Reum continued to need hospitalization for the following reasons:

- Severe impairment of level of functioning stabilization
- Discharge may exacerbate illness
- Danger to self and others
- Severe depression/anxiety

- Continues to remain on anti-depressive anxiety medication
- Continues to experience panic attacks, flashbacks and nightmares

52.

While alone in her room on January 20, 2018, Sarah Reum was left unsupervised, unmonitored, and unchecked by Ridgeview-Monroe staff for 1 hour and 8 minutes (as confirmed by Ridgeview-Monroe's videotape).

53.

On January 20, 2018, Sarah Reum hanged herself from the bathroom door in her room using a hoodie jacket she wedged in the door hinge.

54.

Sarah Reum died of injuries secondary to ligature hanging on January 20, 2018 at 6:28 p.m.

55.

Shortly after Sarah Reum's body was discovered by Ridgeview staff but prior to the Monroe Police Department's arrival at Ridgeview, Sarah Reum's Patient Safety Precautionary Medical Record (patient log) was intentionally altered and falsified by Ridgeview staff.
(Attached as Exhibit "1" is Monroe Police Department's Report regarding Sarah Reum)

56.

The deliberate alteration and falsification of Sarah Reum's medical records consisted of, among other things, the false inclusion and initialing of multiple times Sarah Reum was being monitored by Ridgeview staff after 4:04 p.m. on January 20, 2018, when, in actuality, she was left unsupervised and unmonitored by Ridgeview staff for 1 hour and 8 minutes.

57.

The Defendants' deliberate and willful falsification of Sarah Reum's medical records was in direct violation of O.C.G.A § 16-10-94.1.

58.

Following Sarah Reum's death at Ridgeview, the Georgia Department of Health and Human Services conducted an investigation into the suicide death of Sarah Reum as well as other reported systemic problems at Ridgeview Monroe.

59.

The findings of the State of Georgia's investigation into Ridgeview revealed pervasive understaffing in the Adolescent Unit, the Adult Unit Intermediate Unit and the Senior Unit. (Attached as Exhibit "2" is a true and correct copy of the subject ACTS Complaint Incident Investigation Report of the Ridgeview Institute Monroe)

60.

The State of Georgia's Investigation into Ridgeview was initiated by a former Ridgeview Supervisor identified as MC (b)(6)(b)(7)(c) in the ACTS Complaint/Incident Investigation Report.

61.

In the State of Georgia ACTS Complaint/Incident Report of Ridgeview, this former Ridgeview Supervisor stated as follows:

"The administration and corporate leaders of Ridgeview Institute in Monroe, Georgia has unsafe practices (sic) for patient and staff safety. At times, one nurse may have 15 to 20 patients to provide patient care to administer medications, admit and discharge patients, chart on

every patient, check for new orders and transcribe them, patient rounding, when the medical health techs (MHT) are off the unit with other patients, and the many other aspects of nursing care. At times, there is one MHT, on a good day two MHTs, with same number patients as the nurse. MHT duties include 15-minute patient rounds, leading groups, taking vital signs, observing line of sight and 1:1 patients, taking patients to and from the cafeteria, taking patients out to smoke, laundry, assisting with admissions, checking patient belongings, performs safety checks and more.

The nursing supervisor is over four units, does intake referrals, staffing, scheduling, provide breaks, help with admissions, help with crisis situations and all the other duties required.

The population of patients can be violent in nature, have psychosis, detoxing from drugs and/or alcohol, be suicidal or homicidal and have other mental health illnesses. There have been injured staff members and other patients because of violent patients having been admitted without proper staffing to monitor or care for them properly to keep ill effects from happening. Administration and corporate leaders allow admission to continue even though there is already an unsafe nurse/MHT to patient ratio.”

62.

In the State of Georgia ACTS Complaint/Incident Investigation Report of Ridgeview, this former Ridgeview Supervisor noted the following with regard to Sarah Reum’s suicide:

"There was a recent patient suicide at the Facility which more likely could have been avoided had there been better staffing or a decreased number of patients for the nursing staff available. On this unfortunate day, there were 19 patients, two nurses and one MHT working on a unit. The one MHT was to do all the duties mentioned above, alone. The nurses had all their duties as mentioned above to perform. The supervisor again, was performing her many duties mentioned above. There were three other staff on the unit at the time, but they were not assisting the nursing staff. Because of the lack of nursing staff, patient rounding could not be performed as needed by the one MHT working which led to the tragedy of a loss of life. Because of the stress from the unsafe environment many staff members are leaving which causes the nursing staff shortage even greater.

An angry and very concerned individual." MC 2/28/18

63.

Additionally, the former Ridgeview Supervisor noted the following in the State of Georgia Complaint/Incident Investigational Report for Ridgeview Monroe:

"I have an update on my concern with Ridgeview Institute-Monroe. Sunday, February 18, 2018, the facility operated with critically low staffing. The unit I will reference is the intermediate/dual diagnosis unit. This particular unit had 23 patients on the onset of the 7p-7a shift. Staffed with one RR and 2 MHT's. There was an admission making the staff/patient ratio even more critical. In my prior email, I gave an

example of the duties of the RR's and the MHT's for the shift. Again, all their responsibilities were expected while trying to assure patient care and safety. Also, on this given day, there were two 1:1 patients that were in the same room with one sitter instead of two. The other three units were staffed in the same critical manner.

This is only one particular day I am referring to. There have been many days like this since my initial email. I am advocating for patients and staff since my initial email, a staff member was hit in the head with a chair by an adolescent patient. His injuries included a laceration below his eye requiring seven sutures and a broken nose. I am not a disgruntled ex-employee. I am a person concerned about lives and safety. There will be more hurt and/or deaths of patients and/or staff if something is not done about this Facility.

Sincerely (b)(6)(b)(7)c.”

64.

The former Ridgeview Supervisor noted the following in the State of Georgia ACTS Complaint/Incident Investigation Report of Ridgeview Monroe:

“Since my last update, I have been informed, by a friend remaining at Ridgeview, the new CNO informed the supervisor there is no reason that there cannot be 30 patients with one nurse and two techs. Also, the supervisors were told if anything happens on the floor they will be held responsible for any injuries to patients or staff accidents.”

65.

The following was noted in the State of Georgia ACTS Complaint/Incident Investigation of Ridgeview Monroe, specifically regarding the suicide of Sarah Reum:

“The facility video recording was reviewed with the Director of Risk Management/Performance Improvement (DRMPI H2) on 1/13/18 (sic) at 1:00 p.m. in the CEO’s office. The video record was dated 1/20/18 and time stamped 4:00 p.m. The recording showed the Adult Intermediate hall from the end of the hallway being down towards the Nurses’ Station and Day Room, nurse (registered nurse RR # 11) is seen in the hallway. Doors to room number 202 and 203 are observed to be open. At 4:04 p.m. the patient (Sarah Reum) is seen exiting the day room heading toward his/her room (208), the patient passes RR # 11 and they briefly speak. The patient is seen entering his/her room. There is no monitoring of the patient from 4:04 p.m. until 5:12 p.m. when the Mental Health Technician (MHT # 12) is observed coming out of the room and then numerous staff enter the room. At 5:14 p.m., the Nurse Supervisor (#3) is seen running down the hall to the patient’s room and then running to call 911. At 5:16 p.m. a staff member arrived with the crash cart. At 5:18 p.m. a physician is seen entering the patient’s room and leaving within 30 seconds. At 5:22 p.m. the police arrive. At 5:24 p.m. the Emergency Medical Services (EMS) team arrive. At 5:36 p.m. EMS leave with the patient on a stretcher with an Automatic Chest Compression

Device (delivers chest compressions) attached to the patient. In addition, the EMS are observed bagging (rescue respirations) the patient. The CEO (#13) entered his/her office on 1/13/18 (sic) at 1:30 p.m. while surveyors were watching the above video. The CEO stated and confirmed that the patient had not been monitored and stated that he/she had watched the video right after the occurrence and found that the MHT (#12) assigned to monitor the patient had been sitting at the nurse's desk for over an hour and had not monitored the patient. The CEO explained that the MHT (#12) AND RN (# 11) had been immediately terminated for not following facility policy."

The prediction of the future death(s) of inpatient(s) at Ridgeview by the former supervisor who initiated the State of Georgia's investigation into Ridgeview came all too true less than 7 months later.

67.

On September 16, 2018, Joseph Morris, a 46-year-old suicide risk patient, who, like Sarah Reum, was under a 1013 order and under a 15-minute observation, was left unsupervised by Ridgeview staff for 93 minutes.

68.

Left unsupervised by Ridgeview for more than 1 hour and a half, Joseph Morris killed himself behind a completely closed bathroom by hanging.

69.

Exacerbating Ridgeview's egregious negligence in allowing Joseph Morris, a 1013 suicide risk patient to be left unsupervised for more than an hour and a half, Ridgeview once again engaged in spoliation of a Ridgeview patient's medical record.

70.

As noted by Monroe Police Department Investigator Gina Holbrooks in her report of the Joseph Morris death:

"So unfortunate for the families but the video reflects from 12:29:14 to 14:02:59, Morris is granted more than enough time needed to carry out what he has expressed/warned RV (Ridgeview), even based on RV documentation. RV not only failed to carry out their in-house doctor's orders for Morris but failed to protect him from the illness which Morris was there (RV) seeking help and treatment for. Once again, Ridgeview Institute has put more effort into covering up their own neglect of patients for whom they are to assist by attempting to debrief a certain version that only protects the big office and by fraudulently documenting care for patients."

(Attached as Exhibit "3" is the Monroe Police Department report regarding Joseph Morris)

COUNT I
MEDICAL NEGLIGENCE

71.

The allegations contained in paragraphs 1-70 are incorporated by reference as if fully stated herein.

72.

At all times relevant to the matter alleged in this Complaint, all of the Defendants owed Sarah Reum the duty to exercise the degree of care and skill ordinarily exercised by physicians, nurses, mental health technicians, generally under similar conditions and like surrounding circumstances.

73.

The Defendants were under a duty to exercise reasonable care in the proper and timely monitoring and supervision of Sarah Reum, a suicide risk patient under a 1013 order and to prevent her from doing harm to herself.

74.

In view of Sarah Reum's history and assessment as a suicide risk by the Defendants, the harm and injuries inflicted by Sarah Reum upon herself were foreseeable to the Defendants and the Defendants had the ability and knowledge to control and prevent Sarah Reum from taking her life.

75.

The Defendants negligently breached their duty of care to Sarah Reum by failing to properly and timely monitor Sarah Reum in violation of their own policies, their own treatment plan for Sarah Reum, and the standards of care.

76.

The Defendants negligently breached their duty of care to Sarah Reum by failing to remove her hoodie sweatshirt from her room and by allowing her to have in her room the very instrumentality she used to take her life, namely, a hoodie sweatshirt.

77.

In support of Plaintiffs' allegations of negligence, against the Defendants and pursuant to O.C.G.A § 9-11-9.1, Plaintiffs have attached and incorporated herein, the original Affidavit of William Sledge, MD (Attached hereto as Exhibit "4").

78.

Because O.C.G.A § 9-11-9.2 has been invalidated by the Georgia Supreme Court, Plaintiffs decline to attach a medical records authorization without the entry of a qualified protective court order regarding Sarah Reum's medical information.

COUNT II
NEGLIGENCE

79.

The allegations contained in paragraphs 1-78 are incorporated by reference as if fully stated herein.

80.

At all times relevant to the matter alleged in this Complaint, all of the Defendants took charge of Sarah Reum when she was involuntarily admitted on January 11, 2018.

81.

The Defendants were under a duty to exercise reasonable care to control Sarah Reum and prevent her from doing harm to herself or others. See, Restatement, Torts, 2d, § 319 and Bradley Center, Inc. v. Wessner, 250 Ga. 199 (1982).

82.

In view of Sarah Reum's history and assessment as a suicide risk by the Defendants, the harm and injuries inflicted by Sarah Reum upon herself were foreseeable to the Defendants and the Defendants had the ability and knowledge to control and prevent Sarah Reum from taking her life.

83.

The Defendants committed ordinary negligence by failing to take reasonable steps to monitor, control, and prevent Sarah Reum from causing harm to herself or others in violation of their own policies, treatment plan for Sarah Reum, and the duty of ordinary care one owes to all of the world to prevent those within their custody from harming themselves or others.

84.

The Defendants committed ordinary negligence by imposing policies upon Ridgeview-Monroe and its medial staff, by which staffing levels were dangerously low, training and supervision of staff was substandard or nonexistent, corporate policies were not followed or implemented in a safe and prudent manner, and patient safety was an afterthought. The Defendants assumed a duty to exercise reasonable care in their ownership, management, and control of Ridgeview-Monroe and committed ordinary negligence in their performance of their administrative, training, and management duties.

This negligence, in whole or in part, directly caused or contributed to the death of Sarah Reum.

85.

Defendants' ordinary negligence was a cause of the death of Sarah Reum.

COUNT III
WRONGFUL DEATH

86.

The allegations contained in paragraphs 1-85 of Plaintiffs' Complaint are incorporated by reference as if fully stated herein.

87.

As a direct and proximate cause of all of the Defendants' tortious and negligent conduct, as alleged in this Complaint and as stated in the attached Affidavit of William Sledge MD, Sarah Elizabeth Reum sustained horrible and excruciating injuries and death.

88.

By reason of the foregoing, Christian Sanchez, individually and as father of Isabella Sanchez and Juliana Reum, minor children of Sarah Reum, is entitled to recover compensatory damage in such an amount in excess of \$10,000.00 as the jury determines from the evidence presented at trial that will represent the full value of the life of Sarah Elizabeth Reum.

COUNT IV
ESTATE CLAIMS

89.

The allegations contained in paragraphs 1-88 of Plaintiffs' Complaint are incorporated by reference as if fully stated herein.

90.

As a direct and proximate result of all the Defendants' tortious conduct and negligence as alleged in this Complaint and as stated in the attached Affidavit of William Sledge MD, Sarah Elizabeth Reum suffered injuries and damages, including conscious pain and suffering which would not have occurred had the Defendants exercised a reasonable degree of skill and care in their care and treatment of Sarah Reum.

91.

As a further result of the negligent conduct of the Defendants, tortious conduct and negligence, medical expenses and expenses of funeral and burial have been incurred by the Estate of Sarah Reum.

92.

By reason of the foregoing, Stacey Jenkins and Ricky Reum, as Administrators of the Estate of Sarah Elizabeth Reum are entitled to recover damages for Sarah Reum's conscious physical and mental pain and suffering that she endured prior to her death and funeral and burial expenses, said damages in such an amount in excess of \$10,000.00 as the jury determines from the evidence presented at trial.

COUNT V
PUNITIVE DAMAGES

93.

The allegations contained in Paragraphs 1-92 of Plaintiffs' Complaint are hereby incorporated by reference as if fully stated herein.

94.

The actions and conduct of the Defendants, as alleged, hereinabove were so egregious that it rises to the level of reckless disregard for the safety and well being of the

public and constitutes willful and wanton as defined under O.C.G.A. § 51-12-5.1. Such conduct warrants the imposition of punitive damages. Such conduct also satisfies a finding of specific intent to cause harm under O.C.G.A § 51-12-5.1(f) so as to allow uncapped punitive damages.

95.

By reason of the foregoing, Stacey Jenkins and Ricky Reum, as Administrators of the Estate of Sarah Elizabeth Reum are entitled to recover uncapped punitive damages under O.C.G.A § 51-12-5.1(f) in such an amount in excess of \$10,000.00 as the jury determines from the evidence presented at trial.

COUNT VI
ATTORNEYS FEES AND EXPENSES
PURSUANT TO O.C.G.A § 13-6-11

96.

The allegations contained in Paragraphs 1-95 of Plaintiffs' Complaint are hereby incorporated by reference as if fully stated herein.

97.

Defendants U.S. HealthVest LLC, Ridgeview and RV Behavioral LLC have acted in bad faith, have been stubbornly litigious and have caused the Plaintiffs unnecessary trouble, inconvenience and expense in their defense of this action.

98.

By reason of the foregoing, the Plaintiffs are entitled to recover expenses of litigation, including attorneys fees pursuant to O.C.G.A § 13-6-11, on account of the Defendants have acted in bad faith, have been stubbornly litigious and have caused the Plaintiffs unnecessary trouble, inconvenience and expense in their defense of this action.

WHEREFORE, Plaintiffs pray and respectfully demand verdict and judgment as follows:

- a) The summons and process issue, that each Defendant be served with copies of this Complaint as required by law, and that each Defendant be required to appear and answer;
- b) That Christian Sanchez, Individually, as the father of Isabella Sanchez and Juliana Reum, minor daughters of Sarah Elizabeth Reum, be awarded compensatory damages from the Defendants in such an amount in excess of \$10,000.00 as the jury determines from the evidence presented at trial that will represent the full value of the life of Sarah Elizabeth Reum;
- c) That Stacey Jenkins and Ricky Reum as Administrators of the Estate of Sarah Elizabeth Reum be awarded damages for Sarah Reum's funeral and burial expenses and the conscious physical and mental pain and suffering she endured prior to her death, in such an amount in excess of \$10,000.00 as shown by the evidence and determined in the enlightened conscience of the jury;
- d) That pursuant to O.C.G.A. § 51-12-5.1(f) Stacey Jenkins and Ricky Reum as Administrators of the Estate of Sarah Elizabeth Reum be awarded punitive damages for the Defendant's specific intent to cause harm in an uncapped amount in excess of \$10,000.00;
- e) That pursuant to O.C.G.A § 13-6-11, Plaintiffs be awarded attorneys fees and expenses of litigation on account that Defendants U.S. HealthVest, Ridgeview and RV Behavioral have acted in bad faith, have been stubbornly litigious and have

caused the Plaintiffs unnecessary trouble and expense in their defense of this action;

- f) The Plaintiffs be granted a trial by jury;
- g) That Defendants be charged with all court costs reasonably incurred in the prosecution and trial of this case; and
- h) That Plaintiffs be granted such other and further relief as may be shown by the evidence and authorized by law.

This 14th day of May, 2019.

PENN LAW LLC

BY: /s/ James I. Seifter
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